

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
VINCENT BERTOLINO, )  
                          )  
                          )  
                          Plaintiff, )  
                          )  
                          )  
                          )  
                          )  
-against-              )  
                          )  
THE CITY OF NEW YORK; POLICE OFFICER )  
LUIS CASTILLO, Shield No. 20688; POLICE )  
OFFICER JORGE ROCA, Shield No. 17786; )  
POLICE OFFICER DIANA ESCALERA, Shield )  
No. 1699; POLICE OFFICER JOHN NUNEZ; )  
JOHN DOE #1; POLICE LIEUTENANT VITO )  
LABELLA; POLICE LIEUTENANT MICHAEL )  
GULINELLO; POLICE OFFICER "FNU" [FIRST )  
NAME UNKNOWN] LOPEZ; JOHN DOES; and )  
RICHARD ROES, )  
                          )  
                          )  
                          Defendants. )  
-----X

**CLERK'S CERTIFICATE OF  
DEFAULT**

**15 Civ. 7327 (RJS)**

I, RUBY J. KRAJICK, Clerk of the United States District Court for the Southern District of New York, do hereby certify as follows:

This action was commenced on September 16, 2015 by the filing of the Complaint (docket #1). On October 26, 2015 defendants City of New York, Diana Escalera, Luis Castillo, and John Nunez were each served with the Summons and Complaint (proof of service, docket # 12).

An Amended Complaint was filed on January 5, 2016 (docket #12). On January 11, 2016 defendant Jorge Roca was served with the summons and Amended Complaint (proof of service, docket # 16).

Pursuant to Judge Sullivan's Order dated March 4, 2016 (electronically docketed on March 7, 2016 as docket # 27), Plaintiff filed a Second Amended Complaint on March 7, 2016 (docket # 28). On June 3, 2016 defendants Vito Labella, Michael Gulinello, and Hector Lopez were served with the summons and Second Amended Complaint (proof of service, docket # 41).

On May 9, 2016 Judge Sullivan denied Defendants' motion to dismiss the Second Amended Complaint (docket # 36).

I further certify that the docket entries indicate that none of the defendants have filed an answer to the Second Amended Complaint. The default of the defendants - City of New York, Diana Escalera, Luis Castillo, John Nunez, Jorge Roca, Vito Labella, Michael Gulinello, and Hector Lopez – is hereby noted.

Dated:           New York, New York  
\_\_\_\_\_, 2016

**RUBY J. KRAJICK  
CLERK OF COURT**

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**By:   Deputy Clerk**